



CASE REVIEW / SPECIAL MEETING MINUTES

Wednesday, July 9, 2008

4:00 P.M. – Council Chamber Boardroom

5:30 – Art Pick Council Chambers

3900 Main Street, Riverside, CA

Chairman Pearcy called the meeting to order at 4:00 PM.

Roll Call

Rotker	Soubirous	Hubbard	Brandriff	Ward	Pearcy	Corral	Santore	Beeman
✓	✓	LE	✓	✓	✓	A	✓	✓

✓ = Present A = Absent L = Late LE = Left Early

Staff: Kevin Rogan, CPRC Manager; Phoebe Sherron, Sr. Office Specialist

Public Comments

There was no public comment.

Closed Session

Pursuant to Government Code Section 54957, the Commission adjourned to Closed Session at 4:15 p.m. to review the following case(s) involving PUBLIC EMPLOYEE PERSONNEL MATTERS:

	CPRC CASE NO.	RPD CASE NO.
1)	07-058	PC-07-09066
2)	07-073	PC-07-11086
3)	07-078	PC-07-12091

The Commission recessed briefly at 5:25 PM, reconvening in Open Session at 5:30 PM.

OPEN SESSION

Audio for the following proceedings is available on the CPRC website:

www.riversideca.gov/cprc

Copies can also be obtained by calling the CPRC office at (951) 826-5509.

Public Comment

Mary Shelton spoke regarding the Commission's public comment process. She said it is difficult for members of the public to speak on an item when they don't know the nature of the topic. She also noted that community members have recently expressed concerns that "the Commission is closing itself off from the public."

Ms. Shelton also stated that there is a lack of interaction by commission members with community members in the audience, while the same does not apply to their interaction with RPD representatives who may be present. She said the Commission should know what type of relationship it wants to have with the community.

Chairman Percy advised that agenda items are handled as follows:

- agenda item introduction / presentation
- item opened for public comment
- Commission discussion

Hill Officer-Involved Death (OID)

Follow-up discussion of the briefing by CPRC Investigator Butch Warnberg, Baker Street Group, regarding the officer-involved death of Joseph Darnell Hill on October 19, 2006.

Mary Shelton stated that Mr. Warnberg's report on the Hill case was lacking in information when compared with other OID reports he has done for the Commission. She also had issues with the presentation of the contact between Mr. Hill and Officer Adcox prior to the final stop. She suggested obtaining a diagram showing the positions of the officers, Mr. Hill, and any witnesses during the incident because the report doesn't give any information in that regard.

Commissioner Beeman asked for the balance of Mr. Warnberg's information on which he based his summary report.

Commissioner Ward said that a 10-page report means there is something wrong.

Leslie Braden said she is glad that OID's are now individual agenda items. She believes the report is vague and doesn't give a lot of details about the incident.

Chairman Percy asked for questions or comments from commissioners prior to the opening of this item in Stage II, Fact Certification Process, at the next meeting.

Questions and comments posed by are as follows:

Commissioner Beeman:

- Are there depositions available
 - City Attorney Greg Priamos advised there are no depositions as there has been no law suit filed.
- Summary doesn't state how long the officers had been police officers or with RPD and asked that this information be obtained
 - Mr. Priamos advised that the dates and places of employment of peace officers is public information.

- Asked if the Commission can, for the public's information, make an inventory of the documents being reviewed.
 - Mr. Priamos said that copies of the table of contents from the criminal casebook and documents by the CPRC investigator can be made.
- Did police have any other contact with Mr. Hill the day of the incident or the previous week?
- Asked for verification of Mr. Hill's criminal record referred to by Mr. Warnberg.

Chairman Percy:

- What is the extent of information that can be publically provided about peace officers
 - Mr. Priamos advised that names, dates, and locations of employment are public information.
- Observed that there are a couple witnesses and that this case is not as complicated as previous cases.
- Diagrams of involved parties' locations would be helpful along with inclusion of scene photos in the report would give a better understanding of the scene.

Commissioner Ward:

- Interviewing detective asked both officers how long they had been with RPD.
- Believes this is a very abbreviated report and feels a lot is missing.
- Requests an explanation from RPD as to why the confrontation by the officers is not recorded when both officers said their recorders were on.

Vice-Chair Corral:

- Would like to see a layout of the incident, the positions of everyone, and how the confrontation occurred.

Chairman Percy suggested that the Commission provide outreach to the families by advising them what information is available to them. He also asked if case information is available electronically. He also asked that commissioners send questions to Staff as soon as possible.

Commissioner Beeman made a motion that an inventory list of publically available documents be included on the agenda for OID cases being discussed.

Chairman Percy suggested an amendment to the motion: that the list is printed and copies made available for the public rather than attaching it to the agenda.

Commissioner Beeman agreed to the amendment, but asked that the agenda note the availability of supplemental information.

Motion for Approval	Motion	Second	Approve	Oppose	Abstain
That an inventory list of publically available documents concerning OIDs be printed and copies made available to the public, with the agenda noting the availability of the supplemental information	Beeman	Ward	8	0	0

Cloud Officer-Involved Death (OID) Evaluation Process

Discussion of the Commission's public report, Stage II, Fact Certification Process, regarding the officer-involved death of Douglas Steven Cloud on October 8, 2006.

Teresa Cloud said it would be helpful if there was an outline of the process. She said it is appalling that there wasn't more on the Hill case. She also questioned if the depositions have been made

available. She said she doesn't know why there weren't any belt recordings in her son's incident and why wasn't it considered that her son was injured. She said she doesn't understand how the shooting could be justified and that hiring and training policies was one of the reasons they settled, that they want accountability.

Mary Shelton said the Cloud case is very troubling. She said she would like the City Attorney to release more information regarding the policy changes. She said that it doesn't seem that the incident was treated as a felony stop and she is glad the Cloud Family explored policy changes.

Chairman Percy asked the commissioners if there were any other questions.

Commissioner Rotker:

- Asked what the drug in the toxicology test is and how significant is the level.
- Asked about the reference to methamphetamine in the toxicology test and the significance of the level.

Commissioner Beeman:

- What were the policy changes resulting from the settlement?
 - Mr. Priamos advised that there were no policy changes that were part of settlement.
- How many "pumpkin guns" (less-lethal) were available at the scene to the responding officers prior to the shooting of Mr. Cloud?

Chairman Percy noted that the intent of this process was to use Mr. Warnberg's report as an initial guide of factual items. He suggested that Staff itemize the facts with the Commission then reviewing and deciding on which facts are agreed on or disputed, included or excluded. Mr. Rogan said he could provide the various facts, using all available case material, in a bullet-point format so as to be a guide for the Commission's discussion. Chairman Percy asked that this be available prior to the next meeting. Commissioner Beeman asked that this information also be made available to the public.

The Commission adjourned at 7:17 PM.

Respectfully submitted,


PHOEBE SHERRON
Sr. Office Specialist